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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,423	07/21/2003	George A. Culbertson	21254.00	4958

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EXAMINER

PATEL, DHIRUBHAI R

ART UNIT PAPER NUMBER

2831

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,423

Applicant(s)

CULBERTSON, GEORGE A.

Examiner

DHIRU R PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-20 is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0604</u> | 6) <input type="checkbox"/> Other: _____ |

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Part III DETAILED ACTION

Claim Objections

1. Claims 1-20 are objected to because of the following informalities:

In claims 1-20, "CATV" should be spelled out completely.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wollmerschauser et al (5,091,707).

Wollmerschauser et al disclose:

Regarding claim 1, a surface mount CATV jack for use with coaxial, fiber-optic or other sheathed cable, comprising:

a jack housing 1 (see figs 1-2) comprising:

a hollow base having a base inner wall (see figs 1-2, column 4 lines 60-65) having a periphery and a sidewall extending outward around the periphery of said base (see fig 2);

a cover 4 attached to said base (see fig 2, column lines 60-65);

said jack housing defining a plurality of access ports (see figs 1-2, access ports for element number 24 and 26, column 5 lines 15-40); and

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at least one cable connector 24, 26 (see figs 1-2, column 5 lines 15-40) disposed through a corresponding one of said access ports for connection with a CATV cable (see figs 1-2, column 5 lines 15-40).

Regarding claim 2, wherein said connector comprises a linear female-to-female cable connector (see column 5 lines 15-40).

Regarding claim 3, wherein said connector comprises a right angle female-to-female cable connector having first and second threaded portions (see figs 1-2, column 5 lines 15-40).

Regarding claim 4, a connector clamp 28 attached to said base so sized and configured as to hold the connector collar of an input cable 20 (see column 5 lines 19-21), said input cable being disposed through another of said plurality of access ports (see fig 1).

Regarding claim 8, further comprising another linear female-to-female connector disposed in another said access port, each said access port being located in said housing wall (see figs 1-2), and a connector cable connecting each said female-to-female connector within said housing, wherein the input cable is connected to one of said female-to-female connectors exterior to said housing and the output cable is connected to the other of said female-to-female connectors exterior to said housing (see column 5 lines 15-40).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 5-7, 9 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Wollmerschauser et al (5,091,707).

Wollmerschauser et al disclose:

Regarding claim 5, the assembly of Wollmerschauser disclose all the features of the claimed invention as shown above, but fails to disclose said one of said plurality of access ports is located in said cover. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide any number of access ports, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Regarding claim 6, the modified assembly of Wollmerschauser disclose all the features of the claimed invention as shown above, but fails to disclose said first threaded portion of said right angle connector is disposed through said cover and held in place in a vertical

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position by connector nuts located above and below said cover. Please note that the modified assembly of Wollmerschauser et al disclose two connectors 24 and 26. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Wollmerschauser with said first threaded portion of said right angle connector is disposed through said cover and held in place in a vertical position by connector nuts located above and below said cover, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Regarding claim 7, the modified assembly of Wollmerschauser disclose all the features of the claimed invention as shown above, with respect to a linear female - to- female connector disposed including disposed through said other of said plurality of access ports, said connecting cable connecting said horizontal threaded portion of said right angle connector with said linear female-to-female connector, the input cable being connected to said female-to female connector exterior to said housing. Please note that the modified assembly of Wollmerschauser disclose a linear female - to- female connector disposed through one of said plurality of access ports. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Wollmerschauser with any numbers of a linear female - to- female connector, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70. It is noted that the modified assembly of Wollmerschauser meet the structural limitations.

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Regarding claim 9, the assembly of Wollmerschauser disclose all the features of the claimed invention as shown above, including said hollow base is generally rectangular (see figs 1-2), but fails to disclose two ports in at least one sidewall, each said female-to-female connectors being disposed in a corresponding one of said two ports in said one sidewall. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Wollmerschauser with two ports in said at least one sidewall , since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. It is noted that the modified assembly of Wollmerschauser meet the structural limitations.

Allowable Subject Matter

4. Claims 10-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reasons for the indication of the allowability of claims 10-20 are the inclusion therein, in combination as currently claimed, of the limitation of a generally rectangular cover having an outer wall and peripheral opposed side walls, a closure end wall, and a cable access end wall and conforming with said rectangular base such that said peripheral cover walls slidingly engage said peripheral base walls and abut said inner wall of said rectangular base upon closure of said cover over said base.

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

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Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel
Primary Examiner
Group Art Unit 2831
June 8, 2004

Dhiru Patel
Primary Examiner
6/8/04.